

INSTRUCTIONS FOR FILING A CLAIM FOR CHILD SUPPORT ABATEMENT  
AND OBJECTION TO ABATEMENT

EFFECTIVE JULY 1, 2003

GENERAL PROVISIONS

W.S. §20-2-305 (revised 2003) provides, unless otherwise ordered by the Court, child support shall abate by one-half (1/2) of the daily support obligation for each day the non-custodial parent has the physical custody of the child for whom support is due, provided that the non-custodial parent has custody of the child for fifteen (15) or more consecutive days. Overnight and weekend visits with the custodial parent during the period for which the abatement is claimed shall be disregarded.

Claims, Objections, and Responses not timely filed or not accompanied by the requisite fee are barred.

CLAIMS

Claim for child support abatement must be filed with the Clerk of District Court within thirty (30) days after the period for which abatement is claimed. **The Claim for Abatement must be accompanied by a \$10.00 fee.**

It is suggested that the Claim for Abatement be filed as soon as possible following the end of any visitation period. If there is extended visitation, either monthly Claims for Abatement can be filed, or one Claim for Abatement can be filed for the entire period of visitation. (Example: if visitation begins on June 15<sup>th</sup> and ends on August 5<sup>th</sup>, a single Claim for Abatement may be filed within thirty (30) days of August 5<sup>th</sup>.)

The Clerk will mail a copy of the Claim for Abatement to the custodial parent at the address provided to the Clerk by the custodial parent. This office will also mail an Objection/Approval form to the custodial parent.

APPROVAL OF CLAIMS

If the custodial parent approves of the abatement, he/she can either file an Approval of Claim for Abatement, which does not require a filing fee, or let the 30 day objection period pass without filing an Objection.